

# **WISCONSIN LEGISLATIVE COUNCIL STAFF**

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 00-185**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **2. Form, Style and Placement in Administrative Code**

a. In the analysis, it appears that the reference to s. 118.33 (2) (a), Stats., in the list of statutes interpreted contains a typographical error. The correct reference is s. 118.33 (2) (c), Stats.

b. The last paragraph of the analysis indicates that the rule adds a reference to s. 118.33 (1) (b), Stats., to align the rule with statutory language. This does not constitute a plain language analysis as required by s. 1.02 (2), Manual. A phrase such as “relating to open campus policy” could be added at the end of that paragraph.

c. The last full paragraph in the proposed order is an effective date provision that conflicts with the effective date provision in SECTION 4. Therefore, the last full paragraph should be deleted.

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In the analysis and in s. PI 18.03 (1) (a) 2., “focus” should be changed to “focuses.”

b. In the last sentence of the first paragraph of the analysis, it would be more accurate to change the phrase “tribal sovereignty” to “history, culture and tribal sovereignty.” [See s. 121.02 (1) (L) 4., Stats.]

c. In the initial applicability provision, the comma following the reference to “s. PI 18.03 (1) (a) 2.” should be deleted.

d. The requirement for a one-semester democracy course becomes effective August 1, 2002 and first applies to pupils graduating from high school after August 30, 2004. This means that the first cohort of graduates to which this requirement applies would have to have taken the course in school years 2002-03, 2003-04, or 2004-05, that is, in grades 10, 11, or 12. That effectively eliminates the possibility of a school board’s offering the course to them in grade 9, although grade 9 is included in the years to which the requirement under s. PI 18.03 (1) (a) (intro.) applies. Was this result intended?